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TECHNOLOGY CENTER R3700

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DOCKET NO.: P00547.70061.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: R. Rox Anderson et al.
Serial No: 10/033,302
Confirmation. No.: 8214
Filed: December 27, 2001
For: METHOD AND APPARATUS FOR EMR TREATMENT
Examiner: Not yet assigned
Art Unit: 3764

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 67 day of January 2003.

Colleen R. Sullivan
Signature

Commissioner For Patents
Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement
- ☒ PTO Form 1449 with cited references
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
R. Rox Anderson et al., Applicants

By: Peter C. Lando
Peter C. Lando, Reg. No.: 34,654
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Docket No. P00547.70061.US
Date: January 7, 2003
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Steven E. Sullivan.
Signature

Commissioner for Patents
Washington, D.C. 20231

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STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

TECHNOLOGY CENTER R3700

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application. The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
09/847,043	April 30, 2001	H. Zenzie
10/080,652	February 22, 2002	G. Altshuler et al.
10/154,756	May 23, 2002	P. Dautriche et al.
10/245,825	September 17, 2002	G. Altshuler et al.
10/274,582	October 21, 2002	G. Altshuler et al.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The following are remarks concerning the other information cited:

EP 1038505 A2 generally relates to a radiation apparatus for optical thermolysis.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
R. Rox Anderson et al., Applicants

By: 

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